

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PROGRESS RAIL SERVICES)	
CORPORATION,)	8:05CV98
)	
Plaintiff,)	
)	
v.)	ORDER
)	
WESTERN HERITAGE CREDIT)	
UNION, and DAVID G. BRADFORD,)	
)	
Defendants.)	
_____)	

This matter is before the court on defendant Western Heritage Credit Union's motion for reconsideration, Filing No. 131, of the court's previous Memorandum and Order, Filing No. 129. In that order, the court declined to grant summary judgment in favor of Western Heritage on Claims VI (fraudulent concealment) and VIII (conspiracy to commit fraud) of Progress Rail's second amended complaint. Western Heritage argues that Progress Rail failed to proffer sufficient evidence to demonstrate a genuine issue of material fact. The court disagrees and denies Western Heritage's motion to reconsider. Accordingly,

IT IS ORDERED that Western Heritage's motion to reconsider, Filing No. 131, is denied.

DATED this 20th day of April, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
Chief United States District Judge